



STATE OF WISCONSIN Assembly Journal

Ninety-Seventh Regular Session

9:15 A.M.

THURSDAY, May 5, 2005

The Assembly met in the Assembly Chamber located in the State Capitol.

Representative Rhoades in the chair.

The Assembly dispensed with the call of the roll.

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 211** offered by Representatives Gottlieb and Seidel.

Assembly amendment 2 to **Assembly Bill 211** offered by Representatives Gottlieb and Seidel.

Assembly substitute amendment 1 to **Assembly Bill 213** offered by Representative Kreibich.

Assembly amendment 1 to **Assembly Bill 223** offered by Representative Underheim.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 05-016

Relating to deer hunting as it relates to the management of chronic wasting disease.

Submitted by Department of Natural Resources.

Report received from Agency, May 4, 2005.

To committee on **Natural Resources**.

Referred on May 5, 2005.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 400

Relating to: moving with a child.

By Representatives Kestell, Vos, LeMahieu, Towns, Hahn, Pettis, F. Lasee, Musser, Strachota, Krawczyk, Ott, Nass, Gunderson, Hines, Davis and J. Fitzgerald; cosponsored by Senator Plale.

To committee on **Family Law**.

Assembly Bill 401

Relating to: prohibiting the Department of Natural Resources from promulgating a rule setting forth general policy on conserving and enhancing navigable waters.

By joint committee for review of Administrative Rules.

To committee on **Natural Resources**.

Assembly Bill 402

Relating to: creating a nonrefundable individual income tax credit for certain amounts of taxable social security benefits.

By Representatives Kerkman, Loeffelholz, Owens, Albers, Bies, Boyle, Davis, Freese, Gielow, Gronemus, Gunderson, Hahn, Hines, Honadel, Hundertmark, Jensen, Jeskewitz, Krawczyk, Kreibich, LeMahieu, Lothian, McCormick, Meyer, Mursau, Musser, Nass, Nischke, Ott, Petrowski, Pettis, Pridemore, Suder, Townsend, Van Roy, Vos, Vrakas and Wood; cosponsored by Senators Kedzie, Darling, Harsdorf, Kanavas, A. Lasee, Lassa, Lazich, Leibham, Roessler and Stepp.

To committee on **Ways and Means**.

Assembly Bill 403

Relating to: designating and marking a certain bridge the American Revolution Memorial Bridge.

By Representatives Hines, Lothian, Freese, Gronemus, Ott, Owens, Sheridan, Pridemore, McCormick, Krawczyk and Molepske; cosponsored by Senators Kanavas, Darling, Decker, Lassa and Wirch.

To committee on **Transportation**.

Assembly Bill 404

Relating to: prohibiting the Department of Health and Family Services from promulgating a rule under which fees for copies of patient health care records and X-rays equal certain amounts.

By joint committee for review of Administrative Rules.

To committee on **Health**.

Assembly Bill 405

Relating to: special distinguishing registration plates for groups that are military in nature.

By Representatives Owens, Vukmir, Ballweg, Hahn, Jensen, Musser, Pettis, F. Lasee, Bies, Freese, Hundertmark, McCormick, Albers, Hines, J. Fitzgerald, Nerison, Molepske and Lamb; cosponsored by Senators Leibham, A. Lasee, Roessler and Grothman.

To committee on **Transportation**.

Assembly Bill 406

Relating to: authorizing the circuit court to order a person who engages in discrimination in employment to pay compensatory and punitive damages and a surcharge, directing the secretary of workforce development to appoint a committee to study wage disparities between men and women and between minority group members and nonminority group members, and making an appropriation.

By Representatives Sinicki, Young, Vruwink, Benedict, Grigsby, Boyle, Fields, Berceau, Shilling, Nelson, Sheridan, Molepske, Richards, Parisi, Pope–Roberts, Pocan, Seidel and Turner; cosponsored by Senators Hansen, Carpenter, Taylor, Miller, Lassa, Wirch, Breske and Erpenbach.

To committee on **Labor**.

Assembly Bill 407

Relating to: a temporary reduction in the motor vehicle fuel tax rate.

By Representatives Cullen, Ziegelbauer, Wasserman, Benedict and Krusick; cosponsored by Senator Carpenter.

To joint committee on **Finance**.

COMMITTEE REPORTS

The committee on **Corrections and the Courts** reports and recommends:

Assembly Bill 51

Relating to: seizure by a court or law enforcement officer of a motor vehicle operator’s license and reinstatement of an operating privilege.

Assembly Amendment 1 adoption:

Ayes: 9 – Representatives Bies, Gundrum, Underheim, Owens, Suder, LeMahieu, Pope–Roberts, Wasserman and Seidel.

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Bies, Gundrum, Underheim, Owens, Suder, LeMahieu, Pope–Roberts, Wasserman and Seidel.

Noes: 0.

To committee on **Rules**.

Assembly Bill 143

Relating to: access to presentence investigation reports.

Passage:

Ayes: 9 – Representatives Bies, Gundrum, Underheim, Owens, Suder, LeMahieu, Pope–Roberts, Wasserman and Seidel.

Noes: 0.

To committee on **Rules**.

GAREY BIES
Chairperson
Committee on Corrections and the Courts

COMMUNICATIONS

State of Wisconsin
Office of the Secretary of State
Madison

To Whom It May Concern:

Acts, Joint Resolutions and Resolutions deposited in this office have been numbered and published as follows:

<u>Bill Number</u>	<u>Act Number</u>	<u>Publication Date</u>
Assembly Bill 94	3	May 13, 2005
Assembly Bill 99	5	May 16, 2005
Assembly Bill 92	8	May 16, 2005
Assembly Bill 140	10	May 16, 2005

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

State of Wisconsin
Office of the Secretary of State
Madison

To Whom It May Concern:

Acts, Joint Resolutions and Resolutions deposited in this office have been numbered and published as follows:

<u>Jt. Res. Number</u>	<u>Enrolled Number</u>	<u>Publication Date</u>
Assembly Joint Res. 2	5	Not Published
Assembly Joint Res. 1	6	Not Published
Assembly Joint Res. 5	7	Not Published
Assembly Joint Res. 6	8	Not Published
Assembly Joint Res. 20 ...	9	Not Published
Assembly Joint Res. 23 ..	10	Not Published
Assembly Joint Res. 25 ..	11	Not Published
Assembly Joint Res. 27 ..	12	Not Published

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

AGENCY REPORTS

State of Wisconsin
Investment Board
Madison

April 28, 2005

To the Honorable, the Legislature:

As provided in section 25.17 (14m) of the Statutes, attached is our annual report to the Legislature regarding investment goals, long-term strategies and performance. As a follow-up to our discussions with the Joint Legislative Audit Committee, this report also addresses a number of findings and recommendations in the Legislative Audit Bureau’s November 2004 management review of SWIB.

Overall, our review suggests that SWIB is generally well positioned in the use of internal and external resources and mix of active and passive management styles. However, we have identified a number of potential ways in which we could enhance our position. We are pursuing improvements in these areas. Several relate to topics raised in the LAB audit, and they are discussed in more detail in the attached report. I would welcome the opportunity to discuss them with you .

Please let me know if you have any questions or comments about the report.

Sincerely,
DAVID C. MILLS
Executive Director

State of Wisconsin
Legislative Audit Bureau
Madison

May 4, 2005

To the Honorable, the Legislature:

We have completed an evaluation of management of the State's vehicle fleet, as requested by the Joint Legislative Audit Committee. The Department of Administration (DOA) has primary responsibility for fleet management, including establishing policies for the acquisition, use, maintenance, and sale of fleet vehicles.

As of December 31, 2004, the State owned 6,669 fleet vehicles, a reduction of 13.8 percent since 2001. Agencies either own these vehicles or lease them from DOA; five agencies – DOA, the Department of Natural Resources, the Department of Transportation, the University of Wisconsin-Madison, and the Department of Corrections – are assigned nearly three-quarters of the fleet. Sedans and station wagons are the most commonly owned vehicles, followed by pick-up trucks and passenger and cargo vans. A vehicle reduction initiative announced by the Governor in June 2004 generated gross revenue of approximately \$3.5 million through March 2005, but it is unclear how much of this

revenue will be available for deficit reduction because of sales costs and outstanding debt on vehicles sold.

We found that several state agencies are not appropriately enforcing the minimum driving standards for individuals who use fleet vehicles, in part because of DOA's limited guidance. We also found that Wisconsin's standard reimbursement rate for employees who use privately owned vehicles to conduct state business, \$0.325 per mile, is within the range paid by other midwestern states.

We make several recommendations to improve fleet management, including better monitoring of vehicle leases and rentals, improving the procurement process, fully implementing fleet-management software, and improving the process for responding to complaints about inappropriate vehicle use. In addition, we include a recommendation for DOA to better monitor mileage reimbursements by employees who make personal use of fleet vehicles. DOA will likely pay a forfeiture of approximately \$35,000 to the Internal Revenue Service for past underpayment of these mileage reimbursements, and steps should be taken to avoid additional forfeiture payments in the future.

We appreciate the courtesy and cooperation extended to us by DOA staff, as well as by staff in the other agencies and campuses we contacted. DOA's response follows the appendices.

Respectfully submitted,
JANICE MUELLER
State Auditor

ADJOURNMENT

Representative Petrowski moved that the Assembly stand adjourned until 11:00 A.M. on Tuesday, May 10.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

9:16 A.M.